

PRIMERA PARTE
DE LOS VEINTE Y UN LIBROS RITUALES Y MONARCHIA
Indiana, con el origen y guerras, de los Indios Occidentales, de
sus Poblaciones, Descubrimiento, Conquista, Conversion y
otras cosas maravillosas de la mesma tierra distribuydos
en tres tomos.

COMPUESTO POR F. JUAN DE TORQUEMADA
Ministro Provincial de la Orden de Nuestro Seraphico Padre,
San Francisco en la Provincia del Santo Evangelio de
Mexico en la Nueva Espana.



DICO EGO OPERA MEA REGI
Seculorum immortal et inuilibi

CON PRIVILEGIO

En Madrid en la Oficina de Nicolas Rodriguez
Año de 1723

la avia embiado el Conde para estas averiguaciones à Don Lope de Ulloa, y allà se negoció de manera, que la Jornada se prosiguió, y fue nombrado Fray Alonso Martinez por nuevo Comisario, y llevó consigo otros Religiosos, y pasaron todos, hasta llegar à las Poblaciones, que llaman Nuevo Mexico, y allí asentaron Real, y oi Dia permanece; y de lo que ha ido sucediendo, se dirà en sus lugares.

1602.

En el Año de 1602, por el Mes de Noviembre, viniendo los Navios de la China; como suelen, por aquel tiempo, vieron los que venian en la Nao, Almiranta (llamado San Antonio de Padua) vna señal en el Cielo; que les causò espanto, y admiracion, la qual se tomó por Testimonio, con fee de Escrivano, el qual tengo en mi poder, y dice así: En el Año de 1602, à quatro de Noviembre de el dicho Año, à las ocho y media de la Noche, viniendo navegando de las Islas Filipinas, en demanda de la Costa de Nueva-España, 38. grados y medio, docientas Leguas de Tierra; estando para tomar la Guardia, la buelta de el Norte, apareció vna grandísima claridad en el Cielo, que totalmente parecian Campos, que se quemaban; porque toda su color era tan bermeja, que parecia vna propia sangre, y esto de el Oriente para arriba; no subió tanto, que pudiese cubrir la Estrella de el Norte, y en el circuito, que tomaba aquella color roja, à trechos estaban hechas unas barras, de Norte à Sur, y su color de estas era; entre blanco, y amarillo: Y estando toda la Gente de la Nao, mirando con grandísima atencion, vieron, se vino à dividir por la mitad de el Norte, adonde vino à quedar el Cielo mui blanco, y la maior parte que dividió, fue corriendo à la parte de Leste, y esto fue derramandose de lo que quedó, à la parte de el Oeste, y se vino à consumir, quedando antes que se ensolviera, como vn Ticon en el Aire, y esto duraria por tiempo de hora y media. De lo qual doi fee, y verdadero Testimonio, Yo Sebastian Solano, Escrivano de la dicha Nao, por su Magestad, que pasó así, y lo vi, en Testimonio de lo qual, hice mi firma acostumbrada. Sebastian Solano. Què aya querido significar esta prodigiola señal, no lo sé; pero tambien sabemos, que son demonstraciones estas, y otras co-

mo ellas, de cosas que suelen acaecer, como son Muertes, Guerras y Hambrres, quiera Dios, que esta no sea indicios de nada de esto, sino solamente figura, que aya querido Dios mostrar, para solo que le alabemos.

CAP. XXXVII. Relaciones de las cosas, que han ido sucediendo, en las Provincias del Nuevo Mexico, despues que fueron à poblarlas nuestros Españoles, de que fue por General Don Juan de Oñate.



ESPACHADOS

Don Juan de Oñate, y los Sirios, para la Jornada del Nuevo Mexico, siguieron su camino, en demanda de aquellas Tierras, y en llegando à aque-

llas parres, tomaron posesion, por el Rei, en ellas, y el Pueblo donde Don Juan de Oñate, Governador, y Capitan General de esta Enviada, hizo asiento, y puso su Real, se llama San Gabriel, el qual Sirio está en treinta y siete grados de altura al Norte, y está situado entre dos Rios, y con las Aguas del menor de los dos, se riegan los Trigos, Cevada, y Maiz, y las demás cosas, que se siembran en las Huertas, que son, Coles, Cebollas, y otras Hortalizas, que se dan mui bien. El otro Rio es grande, que llaman del Norte, que es de mucho, y mui buen Pescado.

En este Lugar se sirieron, y asentaron su Real los Castellanos, y de aqui comenzaron à granjear las voluntades de otros Convecinos, y yà por fuerça, o yà de grado, traxeron à su obediencia todos aquellos Pueblos, y en algunos de ellos se repartieron los Religiosos, que avian ido à esta Conversion, aunque no luego comenzaron à traer a la Fe las Gentes de ellos; porque como no se entendian los vnos à los otros, no podian ser persuadidos al intento de los Religiosos, solo les daban à entender los Españoles, que avian de tributarles, y servirles; y quando no se querian dar por entendidos los Indios, se lo daban à entender por fuerça. Así comenzó esta Poblacion, y se conservò, à mal de su pesar de los Indios, que aunque à los principios los re-

678

Libro Quinto

fados de los trabajos, y calamidades, que padecian.

Fueron seis Religiosos, y por Comisario de ellos, y de los que allá estaban, el Padre Frai Francisco de Escobar, Hombre de Aprobacion, de Vida, y Letras, aunque por causas que concurrieron, le fue la Comision al Padre Frai Francisco de Velasco, que allá estaba por vn Año; y mandato al nuevo Comisario, que de acá iba, que así se cumpliese, y con Gente que fue de socorro para lo que se ofreciese, así de Preludios, como de Entradas, quedó todo cumplido, y el Virrei, y la Orden quietos de la inquietud, que les causaba el desconcierto, y mal avio de aquella Entrada.

Tocadas ya aquellas Gentes de la Mano de Dios poderosa, comenzaron a Bautizarse, y tenian ya el Año pasado de mil seiscientos y ocho Años, mas de ocho mil Animas, y con este contento, así de los Ministros Eclesiasticos, como de lo Secular, escribieron al Virrei, y a la Orden, y vinieron Religiosos con Raçon de todo lo que pafaba, y a pedir ajuda, así en lo Temporal, como en lo Espiritual; a lo qual se acudió liberalmente; y para lo Espiritual, fueron ocho, o nueve Religiosos, que ayudasen en tan Apostolica obra, y el Padre Frai Alonso Peinado por Comisario de ellos, y de los que allá están, por aver renunciado este Oficio el Padre Frai Francisco de Escobar, que hasta entonces lo avia sido, con mucha Aprobacion. El Virrei los proveió, como era justo, y nombró por Capitan de la Gente, que fue de nuevo, al mismo que iba por Gobernador, en nombre de el Rei; porque ya su Magestad lo ha tomado a su cargo, y por suia la Conquista; y así entendemos, tendrá mucha medra aquella conversion, porque para su Remedio tenia necesidad de vn braço tan poderoso, como es el de el Rey Nuestro Señor.



C A P. XXXX.

Da fin a las Relaciones de el Norte de Mexico, y se dicen en particular las cosas tocantes a sus Moradores.



A hemos dicho, que el Lugar principal donde el Gobernador Don Juan de Oñate hizo su Poblacion, y sentó su Real, le puso por Nombre San Gabriel, que está situado entre treinta y siete Grados de altura, y que tiene por vinda dos Rios, vno de los quales es de buenos Agua, que el otro. Este chico tiene todas las Sementeras de Trigo, Cebada, y Maiz, que ay de Riego, y todas las demás cosas, que se siembran en Huertas, porque se dan en aquella Tierra Coles, Cebollas, Lechugas, y Rabanos, y la demás verdura menuda, que en esta danse muchos, y buenos Melones, y Sandias.

El otro Rio es muy grande, y llamante de el Norte, dase en el mucho Pescado, y de cinco Leguas, mas arriba de el Real, buenas Truchas (y muchas de a dos palmos) mas abaxo de el Real, se toma mucho Pescado, como son Bagres, Matalotes, Mojarras, y Molgotes; y en los Esteros de este Rio, se pescan Anguilas, que pasan de a vara.

Todo lo que se siembra de Castilla, y el Maiz, y Chile de acá, se da bueno, y mucho. Criaban las Indias muchas Gallinas de la Tierra, y al mucha Caça de grandes Venados, Cabras Montañas, y muchas Liebres, y Conejos: Dase bien el Ganado de Castilla, así menor, como mayor, y las leguas, y los Puercos, y Gallinas en quebradas, y Riberas de Rios, y Arroyos, mucha Vba, y Rosales, y Lirios, y por los Campos muchos Linos. Estas cosas se dan, y nacen sin sembrarlas, ni labrarlas. Así en partes vistas Cielos muy buenas, y Pisones, mejores que los de esta Tierra. Esta es cada de Vacas de Gibola, aunque las mas cercanas están cincuenta leguas, cuya carne es muy sabrosa, y es tan bueno, que se come crudo y bocados: la Manteca es cosa muy delicada, y de lindo sabor.

Luego que las Maçorcas de Maiz llegan a estar en leche, cogen muchas de ellas.

ellas; y amasadas; y ellas estendida; muy ra de hojaldrado, con fruta de Sartén; y amasada, hacen vn manera, que vna se ganias al Sol; y para comer; y quito a quasi quaxa de ellas, y tostadas ponen al Sol; y us, y secas, las mas Maçorcas, que las dexan sazonar guardarlas en Maiz mer, y para sembrar esto hacen; por mienzan muy temprano Mieses a mucho; y así tienen esta comida, para gozar que se le tiene toda buenos Frisoles; y y labrosas hacen por la mañana Atoirina Gachas; o Pomen frio todo el Sal, ni lo cuecen como estos otros. Tambien hacen Ta como los de por ardinario Pan de Azcar.

La Tierra es muy iela, y nieva mucho vierno, y el Verar España. Para los si ay mucha Leña; no, y otros gener debaxo de la Tierra invierno: Y estan que ha crecido el ragera; y en el ciendo Misa (aunque veces) los Rixan de muy grueso; es largo el Inno corto; pero es fria Castilla la Vieja.

Las Gentes de Indios, como India de buena estatura agestados. Son doto, y alegres; (que serán ciento Pueblos) es de Guartida de lo que Desde que mamban sus Madres con po, porque se fio; y todo el

Case: 6:69-cv-07941-BB

EXHIBIT H

- New Mexico House Memorial (Draft), #14
- New Mexico House Memorial, #14
 - 48th legislature
 - First Session, 2007
- New Mexico Senate Memorial, #21
 - 48th Legislature
 - First Session, 2007
- Letter to N.M. House Representative Nick Salazar to note a needed correction
- House Memorial, #14-Health and Government Affairs Committee
- House Memorial, #14-Final Passage
- Bibliographic Research

House Memorial
48th Legislature
State of New Mexico
First Session, 2007
Introduced by Nick Salazar

DRAFT

A

A single house Memorial (this may be considered a joint house memorial if New Mexico Representative Nick Salazar so wishes).

Recognizing the important cultural, social, historic, and ethno-hydraulic engineering contribution of the first acequia, the Acequia de Chamita, in the state of New Mexico and recommend the acequia for consideration by the New Mexico Historic Preservation Division, Department of Cultural Affairs, to be nominated to the New Mexico State Register of Cultural Properties and the National Register of Historic Places.

WHEREAS, the colonist Don Juan de Oñate called his men and 1,500 Ohkay Owingeh for the digging of an acequia on August 11, 1598; the first irrigation system of Iberian-Arabic origins in New Mexico; the Acequia de Chamita is still a joint use acequia;

WHEREAS, the 1602 Enrico Martinez Map of Oñate's New Mexico Kingdom would indicate the settlement of Sama at San Gabriel del Yungue; this community would become known as Chamita, and the communities' acequia as the Acequia de Chamita;

Whereas, the seventeenth century Franciscan scholar Fray Juan de Torquemada writing in his 1615, "Monarquía Indiana", states the importance of the results of the new form of irrigated agriculture: After locating the settlement of San Gabriel del Yunque as being located between the two rivers of the Rio Chama and Rio Grande he writes that "The smaller one (Rio Chama) irrigates all the plantings of wheat, and barley and corn, and all the other items that are cultivated in gardens..."; a settlement area and irrigated fields still served by the Acequia de Chamita;

WHEREAS, from the beginning in the fertile triangle formed at the confluence of the Rio Chama and Rio Grande, the acequia form of gravity flow irrigation through the use of a system of earthen canals; and its civil and social "water democracy" institutions would eventually be constructed throughout the Southwestern United States and serve as the life blood for community development for thousands of civilian settlers or pobladores; today there are over one thousand acequias operating in New Mexico that carry the imprint of this first acequia;

WHEREAS 1877 Field Notes of U.S. Surveyors Sawyer and McElroy show a map of the town of Chamita Grant indicating the Acequia de Chamita starting off the Rio Chama and emptying into the Rio Chama above the confluence with the Rio Grande;

WHEREAS, besides the addition of a concrete diversion dam and headgates the only significant change to the approximate 4 mile run of the Acequia de Chamita from the 1877 survey is the change of the acequia out flow in the Rio Chama to an egress at the Rio Grande just above the confluence of the two rivers; this happened circa 1939 in keeping with the joint-use needs of the Ohkay Owingeh for more irrigable fields;

WHEREAS, as LA Site Record (100724) survey done by New Mexico State Highway and Transportation Department dated 7, June 1994, and a U.S. Army Corps of Engineers, Albuquerque District report, dated September 1995, note the historic importance of the Acequia de Chamita and recommend the acequia's eligibility for inclusion to the National Register of Historic Places;

WHEREAS, the location or legal description for the Acequia De Chamita is taken from the Acequia's By-Laws, "The Acequia de Chamita provides irrigation water from the Rio Chama for the community of Chamita and San Juan Pueblo (now Ohkay Owingeh). The point of diversion from the Rio Chama, in the Bartoleme Sanchez Grant, is located approximately 1.5 miles Northwest from the junction of U.S. Highway 285 and State Road 74, New Mexico coordinates system, central time zone x=536,60 and Y=1,850,000. The ditch is approximately 4 miles long and empties into the Rio Grande at a point of the Northwest corner of the historic San Juan-Rio Grande Bridge".

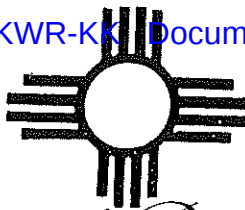
WHEREAS, the 409 year old history of the Acequia de Chamita places it as the oldest Euro-Arabic water management system still in use within the United States;

WHEREAS, Governor Bill Richardson has declared 2007 The Year of Water, that includes a focus on protecting and insuring the survival of New Mexico's Acequias;

NOW, THEREFORE, BE IT RESOLVED THAT THE LEGISLATURE OF THE STATE OF NEW MEXICO give recognition for the living social, cultural, historic and ethno-hydraulic engineering importance and contribution of the Acequia de Chamita to the unique character of the State of New Mexico.

BE IT FURTHER RESOLVED that the legislature give recommendation of the appointment of the Acequia de Chamita to the New Mexico State Register of Cultural Properties and further consider the nomination of the Acequia de Chamita to the National Register of Historic Places.

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the governor, the Acequia Commission, and the State and National Register Coordinator, Historic Preservation Division, State of New Mexico Department of Cultural Affairs for appropriate distribution.



The House of Representatives of the State of New Mexico

FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007

HOUSE MEMORIAL 14

Introduced by Representative Nick L. Salazar

*Urging the Cultural Affairs Department to Include the
Acequia De Chamita in the New Mexico State Register of
Cultural Properties and Nominate the Acequia De Chamita for
Placement on the National Register of Historic Places*

WHEREAS, the colonist Don Juan de Onate called upon his men and fifteen Ohkay Owingeh villagers to dig the first irrigation system of Iberian-Arabic design in New Mexico on August 11, 1598; and

WHEREAS, the Acequia de Chamita, as the irrigation system has become known, is still in common use by the people of Ohkay Owingeh and the community of Chamita; and

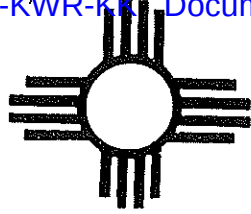
WHEREAS, the map dated 1602 and created by Enrico Martinez depicting "Onate's Kingdom" indicates the settlement of Sama at San Gabriel del Yunque, now known as Chamita; and

WHEREAS, in "Monarquín Indiana", the seventeenth century Franciscan scholar Fray Juan de Torquemada states in 1602 the importance of the new form of irrigated agriculture and describes the settlement of San Gabriel del Yunque, located between the Rio Chama and the Rio Grande, as having irrigated fields of wheat, barley and corn and within the settlement the remainder of the food for the community is cultivated in gardens, all served by the Acequia de Chamita; and

WHEREAS, the gravity-flow earthen canal system for irrigation that was constructed along the Rio Grande and Rio Chama began the spread of civil and social "water democracy" throughout the southwestern part of what became the United States and the acequias served as the lifeblood for community development for thousands of civilian settlers or pobladores; and

WHEREAS, in New Mexico alone, the system of acequias has grown to exceed one thousand acequias within the state, all carrying the imprint of the Acequia de Chamita; and

WHEREAS, a map of the town of Chamita from the 1877 field notes of United States surveyors Sawyer and McElroy show the Chamita land grant indicating the Acequia de Chamita starting from the Rio Chama and emptying into the Rio Chama above its confluence with the Rio Grande; and



WHEREAS, very few significant changes since it was first constructed are seen today along the four-mile course of the Acequia de Chamita, with the exception of the replacement of the earthen diversion dam by a concrete diversion, installation of relatively modern headgates and a change of the point of egress to a place on the Rio Grande rather than the Rio Chama; and

WHEREAS, site records of a survey completed by the state highway and transportation department in 1994 and another survey completed by the army corps of engineers in 1995, both note the historic importance of the Acequia de Chamita and recommend the acequia for inclusion on the national register of historic places; and

WHEREAS, the legal description of the location of the Acequia de Chamita is in the bylaws of the acequia, stating that the acequia "provides irrigation water from the Rio Chama for the communities of Chamita and San Juan Pueblo (once again called Ohkay Owingeh); and

WHEREAS, the four-hundred-nine-year history of the Acequia de Chamita places it as the oldest Euro-Arabic water management system still in use in the United States; and

WHEREAS, 2007 has been declared by Governor Bill Richardson to be the "year of water" and that will bring greater focus to protecting and insuring the survival of New Mexico's acequias;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that recognition be given to the social, cultural, historic and ethno-hydraulic engineering importance of and the long-lived contribution to New Mexico of the Acequia de Chamita; and

BE IT FURTHER RESOLVED that the house of representatives urge the cultural affairs department to place the Acequia de Chamita on the New Mexico register of cultural properties and further consider nominating the Acequia de Chamita for the national register of historic places; and

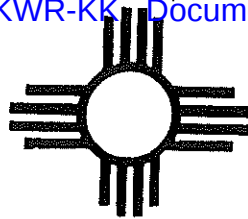
BE IT FURTHER RESOLVED that copies of this memorial be transmitted to Governor Bill Richardson, Governor Earl Salazar of Ohkay Owingeh, the secretary of cultural affairs, the acequia commission and the state and national register coordinator.

*Signed and Sealed at The Capitol,
in the City of Santa Fe.*



Ben Lujan
BEN LUJAN, SPEAKER

Nick L. Salazar
REPRESENTATIVE NICK L. SALAZAR
MORA, RIO ARRIBA, SAN MIGUEL, SANTA FE
AND TAOS COUNTIES



The Legislature of the State of New Mexico

FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007

SENATE MEMORIAL 21

INTRODUCED BY

SENATOR RICHARD C. MARTINEZ

A MEMORIAL

URGING THE CULTURAL AFFAIRS DEPARTMENT TO INCLUDE THE ACEQUIA DE
CHAMITA IN THE NEW MEXICO STATE REGISTER OF CULTURAL PROPERTIES
AND NOMINATE THE ACEQUIA DE CHAMITA FOR PLACEMENT ON THE
NATIONAL REGISTER OF HISTORIC PLACES

WHEREAS, the colonist Don Juan de Onate called upon his men and fifteen Ohkay Owingeh villagers to dig the first irrigation system of Iberian-Arabic design in New Mexico on August 11, 1598; and

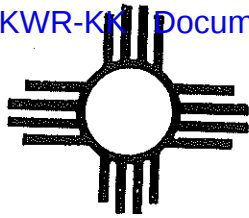
WHEREAS, the Acequia de Chamita, as the irrigation system has become known, is still in common use by the people of Ohkay Owingeh and the community of Chamita; and

WHEREAS, the map dated 1602 and created by Enrico Martinez depicting "Onate's Kingdom" indicates the settlement of Sama at San Gabriel del Yungue, now known as Chamita; and

WHEREAS, in "Monarquín Indiana", the Seventeenth Century Franciscan Scholar Fray Juan de Torquemada states in 1602 the importance of the new form of irrigated agriculture and describes the settlement of San Gabriel del Yungue, located between the Rio Chama and the Rio Grande, as having irrigated fields of wheat, barley and corn and within the settlement the remainder of the food for the community is cultivated in gardens, all served by the Acequia de Chamita; and

WHEREAS, the gravity-flow earthen canal system for irrigation that was constructed along the Rio Grande and Rio Chama began the spread of civil and social "water democracy" throughout the southwestern part of what became the United States and the acequias served as the lifeblood for community development for thousands of civilian settlers or pobladores; and

WHEREAS, in New Mexico alone, the system of acequias has grown to exceed one thousand acequias within the State, all carrying the imprint of the Acequia de Chamita; and



WHEREAS, a map of the town of Chamita from the 1877 field notes of United States surveyors Sawyer and McElroy show the Chamita Land Grant indicating the Acequia de Chamita starting from the Rio Chama and emptying into the Rio Chama above its confluence with the Rio Grande; and

WHEREAS, very few significant changes since it was first constructed are seen today along the four-mile course of the Acequia de Chamita, with the exception of the replacement of the earthen diversion dam by a concrete diversion, installation of relatively modern headgates and a change of the point of egress to a place on the Rio Grande rather than the Rio Chama; and

WHEREAS, site records of a survey completed by the State Highway and Transportation Department in 1994 and another survey completed by the Army Corps of Engineers in 1995, both note the historic importance of the Acequia de Chamita and recommend the acequia for inclusion on the National Register of Historic Places; and

WHEREAS, the legal description of the location of the Acequia de Chamita is in the bylaws of the acequia, stating that the acequia "provides irrigation water from the Rio Chama for the communities of Chamita and San Juan Pueblo (once again called Ohkay Owingeh); and

WHEREAS, the four-hundred-nine-year history of the Acequia de Chamita places it as the oldest Euro-Arabic water management system still in use in the United States; and

WHEREAS, 2007 has been declared by Governor Bill Richardson to be the "Year of Water" and that will bring greater focus to protecting and insuring the survival of New Mexico's acequias;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that recognition be given to the Social, Cultural, Historic and Ethno-Hydraulic Engineering importance of and the long-lived contribution to New Mexico of the Acequia de Chamita; and

BE IT FURTHER RESOLVED that the Senate urge the Cultural Affairs Department to place the Acequia de Chamita on the New Mexico Register of Cultural Properties and further consider nominating the Acequia de Chamita for the National Register of Historic Places; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to Governor Bill Richardson, Governor Earl Salazar of Ohkay Owingeh, the Secretary of Cultural Affairs, the Acequia Commission and the State and National Register Coordinator.



Signed and Sealed at The Capitol,
in the City of Santa Fe.

Diane D. Denish
Diane D. Denish, President
New Mexico State Senate

Richard C. Martinez
Senator Richard C. Martinez
New Mexico State Senate

Margaret Larragoite
Margaret Larragoite, Chief Clerk
New Mexico State Senate

B

February 2, 2007

To: Nick Salazar, New Mexico State Representative and
Pamela Ray, Draft Writer, Legislative Council Services.

From: Ron Rundström
Researcher for Comisión, Acequia de Chamita

Subject: House Memorial #14, concerning Acequia de Chamita

This folder contains copies of the resource documents for the early historic period citations for this Memorial. The only noticed error is on line 17: it reads 15 Ohkay Owingeh villagers, it should read 1,500. You may also notice that there are variable dates that could be used for the Fray Torquemada, "Monarquía Indiana."

May this be of service,



Ron Rundström
ronpat@espanola-nm.com
1-505-852-2764

**FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007**

February 15, 2007

Mr. Speaker:

Your **HEALTH AND GOVERNMENT AFFAIRS COMMITTEE**, to whom has been referred

HOUSE MEMORIAL 14

has had it under consideration and reports same with recommendation that it **DO PASS**.

Respectfully submitted,

Mimi Stewart, Chair

Adopted Not Adopted
 (Chief Clerk)

(Chief Clerk)

Date

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Fox-Young, Steinborn, Varela

Absent: None

Z:\Amend_07\HM014GU1.wpd

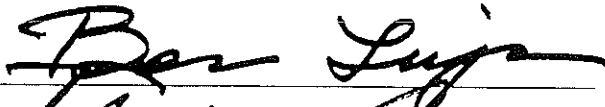
RCS# 130

Forty-Eighth Legislature
FIRST SESSION 20072/16/07
12:57 PMHM 14
Salazar
FINAL PASSAGE

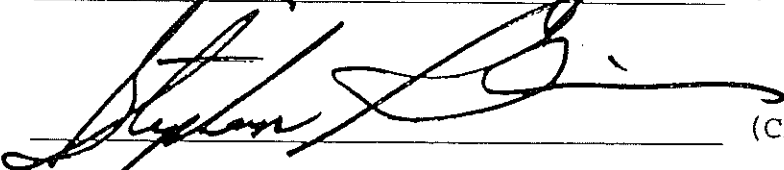
Absent: 3 Yeas: 64 Nays: 0 Excused: 3

Y Anderson, T. A	Y Garcia, M.H.	Lundstrom, P.	Y Steinborn, J.
Y Arnold-Jones, J	Y Garcia, M.P.	Y Madalena, J. R	Y Stewart, M.
Y Bandy, P. C.	Y Garcia, T.A.	Y Maestas, A.	Y Strickler, J.
Y Barela, E.	Y Gardner, K. J.	Y Martinez, W.	E Swisstack, T.
Y Barreras, A.	Y Gonzales, R.	Y McCoy, K.	Y Taylor T. C.
Y Begaye, Ray	Y Gray, W. J.	E Miera, R.	Y Tripp, D.
Y Berry, R. J.	Y Gutierrez, J.	Y Moore, B.K.	Y Trujillo, J.R.
Y Bratton, D.	Y Hall, J. C.	Y Nunez, A.	Y Tyler, S. A.
E Campos, J.	Y Hamilton, D.	Y Park, A.	Y Varela, L.
Y Cervantes, J.	Y Hanosh, G. J.	Y Picraux, D.	Y Vaughn, G.
Y Chasey, Gail	Y Harrison, I.	Powdrell-C, J.	Y Vigil, R. D.
Y Chavez, E. H.	Y Heaton, J.	Y Rehm, W.	Y Wallace, J.
Y Cote, N. P.	Y Herrera, M.	Y Rodella, D.	Y Williams, W.C.
Y Crook, A. M.	Y Irwin, D. G.	Y Saavedra, H.	Y Wirth, P.
Y Espinoza, N.	Y King, R.	Y Salazar, N.	Y Youngberg, E.
Y Ezzell, C. S.	Y Larranaga, L.	Y Sandoval, E.	Zanetti, T. A.
Y Foley, D. R.	Y Lujan, A.	Y Silva, D.	
Y Fox-Young, J.	Y Lujan, Ben	Y Stapleton, S.	

CERTIFIED CORRECT TO THE BEST OF OUR KNOWLEDGE



(Speaker)



(Chief Clerk)

Bibliographic Research

for the Acequia de Chamita
State and National Register of Historic Places Project

2007

by Ron and Pat Rundstrom
Reindeer Productions

Bibliography

Ackerly, Neal W., et. al. Acequia Systems of the Velarde region, North-Central New Mexico, Vols. 1,2, Las Cruces, New Mexico State University, 1994.

Ackerly, Neal W. A Review of the Historic Significance of and Management Recommendations for Preserving New Mexico's Acequia Systems. Prepared by Dos Rios Consultants, Inc., P.O. Box 1247, Silver City, And N. M. For Historic Preservation Division, Santa Fe, N.M., Sept. 1996.

Agoyo, Herman, and Lynnwood Brown. When Cultures Meet: Remembering San Gabriel del Yunge Oweenge. Santa Fe, New Mexico: Sunstone Press, 1987. A compilation of papers from the October 20, 1984 conference held at San Juan Pueblo, New Mexico.

Almeria, Alcazaba. El Agua en la Agricultura de Al-Andalus. Exhibition Catalogue, Granada, Spain, 1995.

Arellano, Anselmo F. The Acequia and Agricultural Traditions of New Mexico: Prehistoric through the Present, Research paper No. 22. The Center for Land Grant Studies, 1994.

Arellano, Estevan. "My View: Lawsuit Threatens Spirit of Water Law", New Mexican, Sept. 22, 2007.

Arellano, Estevan. "Acequias Special System Helped Settlers Adapt to Soil". Journal North, Albuquerque Journal Supplement "Traditions", summer 1993, p. 62.

Arellano, Juan Estevan, compiled by. Ancient Agriculture Roots and Application of Sustainable Farming. Gabriel Alonso de Herrera, 1513. Santa Fe: Ancient City Press, 2006.

Bandelier, Adolph F.A. Final Report of Investigation Among the Indians of the Southwestern United States. Carried on mainly in the years from 1880 to 1885, Vol. I. Paper of the Archaeological Institute of American, American Series 3. Cambridge, Mass, 1890.

Bandelier, Adolph F.A., Final Report of Investigation Among the Indians of the Southwestern United States. Carried on mainly in the years from 1880 to 1885. Vol. II. Paper of the Archaeological Institute of America, American Series 4. Cambridge, Mass., 1892.

Barcelo, Miguel, Helena Kirchner and Carmen Navarro. El Agua que no Duerme, Edita: Sierra Nevada 95/El Legado Andalusi, Disenoy Maguetacion: Equipo 28, Impresion: T.G. Arte, Juberias and CIA, S.L. 18200-Maragena (Granada), 1996.

Baxter, John O. Irrigation in the Chama Valley. 1996.

Castillo, Richard Griswold del. The Treaty of Guadalupe Hidalgo. Norman and London: University of Oklahoma Press, 1990.

Crawford, Stanley; Mayordomo Chronicle of an Acequia in Northern New Mexico, Univ. of New Mexico Press, Albuquerque, 1988.

Ellis, Florence Hawley. San Gabriel del Yungue: As seen by an Archaeologist. Santa Fe: Labratory of Anthropology Library, 1985.

Ellis, Florence Hawley. San Gabriel del Yungue. Santa Fe, New Mexico: Sunstone Press, 1989.

Fernnald, Alexander G and Steven J. Guldán; River, Acequia and Shallow Groundwater Interactions. Water Task Force Report 2, College of Agriculture and Home

Economics, Cooperative Extension Service, Agricultural Experiment Station, New Mexico State University; Electronic Distribution, Nov. 2004.

Fernald, Alexander G, Terrell T. Baker, Steven J. Guidan. Hydrologic, Riparian, and Agroecosystem Function of Traditional Acequia Irrigation Systems. Journal of Sustainable Agriculture, Vol. 30 (2), the Haworth Press, Inc. 2007 PP. 147-171.

Ford, Richard I. An Ecological Analysis Involving the Population of San Juan Pueblo. New Mexico, New York and London: Garland Publication Inc., 1992.

Ford, Richard I. "The Technology of Irrigation in a New Mexico Pueblo", in Material Culture Styles, Organization and Dynamics of Technology. Edited by Heather Lechtman and Robert S. Merrill, 1975. Proceedings of the American Ethnological Society. St. Paul: West Publishing Co., 1975. pp 139-154.

GAO*, Treaty of Guadalupe Hidalgo. Findings and Possible Options Regarding Longstanding Community Land Grant Claims in New Mexico, June 2004 (GAO-04-59)

*United States General Accounting Office Report to Congressional Requesters.

P.202 Chamita Town Grant

Glick, Thomas F. Irrigation and Society in Medieval Valencia Cambridge, Ma: Belknap Press of Harvard Univ. Press, 1970.

Glick, Thomas F. The Old World Background of the Irrigation System of San Antonio, Texas. El Paso: Texas Western Press. University of Texas at El Paso, 1972.

Hammond, George P. and Agapito Rey. Don Juan de Onate, Colonizer of New Mexico, 1595-1628. Albuquerque: University of New Mexico Press, Vol. 2, 1953

Hanks, Nancy. An Annotated Bibliography of New Mexico Acequias. Prepared for the New Mexico Acequia Commission, 1720 Camino de la Vuelta, Santa Fe,

New Mexico, and Nov.1, 1995.

Hill, W.W., Edited and Annotated by Charles H. Lange; An Ethnography of Santa Clara Pueblo New Mexico. University of New Mexico Press, Albuquerque, 1982.

Hordes, Stanley M. Historical Abstracts of Acequias Along the Lower Rio Chama, Rio Chama Acequia Association, Medanales, New Mexico, 1992.

Hordes, Stanley M. Irrigation at the Confluence of the Rio Grande and Rio Chama: The Acequias de Chamita, Salazar and Hernandez, 1600-1680. Rio Chama Acequias Association, Espanola, New Mexico, 1996.

Hurd, Brian. "Who Owns Water? Water Rights in the Southwest States", Dept. of Agricultural Economics and Agricultural Business, New Mexico State University, Southern Region Water Quality Conference, Ruidoso, New Mexico, Oct 19-22, 2003.

"Itinerario," in Joaquin E. Pacheco, Francisco de Cardenas, Luis Torres de Mandoza, eds., Coleccion de Documentos Ineditos Relativos al Descubrimiento, Conquista y Organizacion de las Antiguas Posesiones Espanoles de America y Oceania, Vol. 42 (Madrid, 1864-1184), XVI: 228-76.

Jones, Okah L. Los Paisanos: Spanish Settlers on the Northern Frontier of New Spain. Norman: University of Oklahoma Press, 1979.

Jenkins, Myra Ellen and Alan H. Schroeder. A Brief History of New Mexico. Published for the Cultural Properties Review Committee in Cooperation with the State Planning Office by the University of New Mexico Press, 1974.

Kessell, John L. and Rick Herdricks, Editors. By Force of Arms: The Journals of Don Diego de Vargas New Mexico, 1691-93. Albuquerque, New Mexico: University of New Mexico Press, 1992.

The Compadrazgo and its use. Pp. 116, 411.

Kneebone, Ronald R. Ph.D. and Gregory D. Everhart. A Cultural Resources Inventory for Acequia de Chamita (LA 100724), near Chamita, Rio Arriba County, New Mexico. Technician U.S. Army Corps of Engineers, Albuquerque District. Prepared for U.S. Army Corps of Engineers, Albuquerque District, Sept. 18, 1995.

LaFarge, Oliver. The Mother Ditch: La Acequia Madre, Sunstone Press, Santa Fe, 1983.

Laws of the Territory of New Mexico, Santa Fe, October 7, 1846.

Lecompte, Janet. Rebellion in Rio Arriba 1837, University of New Mexico Press, Albuquerque, 1985.

Lent, Stephen C. and Linda J. Goodman. Archaeological Testing and a Brief Ethnohistory of San Gabriel de Yunge Owinge, San Juan Pueblo, New Mexico. Museum of New Mexico Office of Archeological Studies, Archaeology Notes 102, Santa Fe, New Mexico, 1992.

Levine, Frances; Preparer for San Juan Pueblo, Box 1099, San Juan Pueblo, New Mexico 87566, San Gabriel de Yunque-Ouinge; National Register of Historical Places Inventory-Nomination Form, United States Department of the Interior, National Park Service, 1985.

Meyer, Michael C. Water in the Hispanic Southwest: A Social and Legal History 1550-1850. Tucson, Arizona: The University of Arizona Press, 1984.

Morehead, Max L. New Mexico's Royal Road: Trade and Travel on the Chihuahua Trail. Norman: University of Oklahoma Press, 1958.

Nostrand, Richard L. "The Spread of Spanish Settlement in Greater New Mexico: An Isochromic Map, 1610-1890. in Journal of the West. Vol. XXXIV, No. 3, July

1995. Manhattan, Kansas: Pub. Journal of the West, Inc., 1995, pp. 82-87.

Ortiz, Alfonso, Vol. Ed.; Handbook of North American Indians, Vol. 9, Southwest, Smithsonian Institution, Washington, U.S. Government Printing office, Washington, D.C. 1979.

Palmer, Gabrielle G., Project Director; June-el Camino Real de Tierra Adentro. Cultural Resources Series No.11, Bureau of Land Management, New Mexico State Office, Santa Fe, 1993.

Pijoan, M. D. Michel. "The Herds of Onate", El Palacio Quarterly Journal of the Museum of New Mexico: The Horse in the Southwest, Vol. 81, No. 3, Museum of New Mexico, Fall 1975.

Pitt-Rivers, Julian A.; The people of the Sierra, The University of Chicago Press, Chicago, 1954, 2nd edition 1971.

Pratt, B. C. and D. H. Snow. The North Central Regional Overview: Strategies for the Comprehensive Survey of the Architectural and Historic Archaeological Resources of North Central New Mexico. Draft. 2 Volumes, New Mexico Historic Preservation Division, Santa Fe, 1987.

Reed, Erik; Report on San Gabriel. Ms. On File, Museum of New Mexico, Laboratory of Anthropology, Santa Fe, N.M., 1938.

Reynolds, C. Lynn; Alternative Water uses: The impact of Proposed Non-Agricultural uses for water on irrigation-based Hispanic Villages; in papers in Anthropology, Vol. 17, No.2, Fall 19776, Gerry C. Williams editor, Dept of Anthropology, University of Oklahoma, Norman, 1976, pp. 179-200.

Rivera, Jose A. Acequia Culture. Albuquerque, New Mexico: University of New

Mexico Press, 1998.

Rivera, Jose A. and Thomas F. Glick. The Iberian Origins of New Mexico's Community Acequias. XIII Economic History Congress, A programmed-paper, Buenos Aires, 2002.

Roberts, Susan A. and Calvin A. Roberts. A History of New Mexico. New Mexico: University of New Mexico Press, 1997.

Rodriguez, Sylvia. Acequia Water Sharing, Sanctity and Place. Santa Fe, New Mexico: School for Advanced Research Press, 2006.

Salmeron, Zarae. Relaciones. Translation by Alicia R. Milich and foreword by Donald C. Cutler. Albuquerque, NM: Horn and Wallace Publishers, Inc., 1966.

Schaafsma, Curtis F. Apaches De Navajos in the Chama Valley, the University of Utah Press, Salt Lake City, 2002.

Schroeder, Albert and Dan S. Matson. A Colony on the Move: Gaspar Cantano de Sosa's Journal, 1590-1591. New Mexico: School of American Research, 1965.

Schroeder, Albert H.; Rio Grande Ethnohistory; in New Perspectives on the Pueblos; Alfonso Ortiz editor; School of American Research, University of New Mexico Press, Albuquerque, 1972, paper 1975. Pp. 41-70.

Simmons, Marc. Spanish Pathways Readings in the History of Hispanic New Mexico; Chapter nine, "Water That Runs in Ditches", pp.123-136, University of New Mexico Press, Albuquerque, 2001.

Simmons, Marc. The Last Conquistador. Norman Oklahoma: University of Oklahoma Press, 1991.

Simmons, Marc. "Trail Dust, Chili Line Chugged Alongside Rio Grande", Santa Fe New Mexican, 1/06/2007.

Simon, Li and Associates. Draft. Programmatic Environmental Assessment Rehabilitation of Community Acequias. Rio Chama Study Area (RCSA), Rio Grande Basin, New Mexico. Study prepared for Albuquerque District Corps of Engineers, 4101 Jefferson Plaza, NE, Albuquerque, New Mexico, 87109, April 21, 1999.

SANM (State Archives of New Mexico)

1923 Land Grant Records, Reel 16, Frames 1401-1416

1920 Grant Records, Reel 16, Frames 1393-1397

1893 Land Grant Records, Reel 16, Frames 465

1876 Land Grant Records, Reel 16, Frames 488

1859 Land Grant Records, Reel 16, Frames 462-463

Copy on File at State Archives, Santa Fe, New Mexico

State Engineer, New Mexico, Acequias, a Pamphlet Published by the New Mexico State Engineers Office, Santa Fe, N.M., 1991.

Publication Reviews State Statutes Regarding Acequia Governance.

Stegner, Wallace. Beyond the Hundredth Meridian John Wesley Powell and the Second Opening of the West. Penguin Books, N.Y., N.Y., 1992 First Publish by Houghton Mifflin Co., 1954.

Transcript of Treaty of Guadalupe Hidalgo (1848), www.ourdocuments.gov, Sept 27, 2007.

United States v. Sandoval, error to the District Court of the United States for the District of New Mexico. No. 352. Argued Feb. 27, 1913. Decided Oct. 20, 1913. In United States Reports Vol. 231 Cases adjudged in the Supreme Court at October term, 1913, Charles Henry Butler Reporter 20866, The Banks Law Publishing Co., New York, 1914.

United States v Santa Fe, 165 U.S. 675; 17S. Ct 472; 41 L. ED. 874 (1897) discussing laws of New Mexico and Kearny's Code.

Villagra, Gaspar Perez de. Historia de la Nueva Mexico, 1610. Albuquerque: University of New Mexico Press, 1992.

Weigle, Marta. Hispanic Villages of Northern New Mexico. Santa Fe: The Lightning Tree, 1975.

Williams, Jerry L. Ed. New Mexico in Maps. Second Edition. Albuquerque, NM: University of New Mexico, 1986.

Wozniak, Frank E. Irrigation in the Rio Grande Valley, New Mexico: A Study of the Development of Irrigation Systems Before 1945. Santa Fe, New Mexico, Historic Preservation Division, 1987.

Zandti, esq, Michael J. The Interrelationship between Water Rights, Adjudication and Federal Regulatory Programs. McQuaid, Bedford and Van Zandt LLP, www.mbvz.Com/CM/articlesandReports/articlesandReports24.asp.

Case: 6:69-cv-07941-BB

EXHIBIT

I

- By-Laws for the Acequia de Chamita

Acequia de Chamita

Established 1598

First Acequia in the USA

PO Box 930
San Juan Pueblo,
New Mexico 87566

By Laws and Rules and Regulations of the Chamita Community Ditch

These Bylaws are the official bylaws for the Acequia de Chamita; they supercede any existing or previously adopted bylaws for this Acequia.

Article I. Name of Acequia

The name of this acequia is Acequia de Chamita. The place of business for the Acequia de Chamita is in Chamita, New Mexico.

Mailing address is: Acequia de Chamita

P O Box 930
San Juan Pueblo,
New Mexico 87566

Article II Purpose of the Organization

The major purpose for which this organization was created is to serve as the community body that manages and operates the activities of the acequia. These activities include, but are not limited to, water apportionment and distribution, maintenance of the acequia and its structures, and promoting agricultural activities and agricultural interests.

The surface irrigation water has been and will always be locked into the land for productive use, including water for animals. Traditionally, the entire community hauled water in buckets and barrels for watering of gardens and trees above the ditch in the Chamita Village. It will continue to be our tradition as long as there is abundant water in the acequia.

The unlined ditch and the continued irrigation of the lands will sustain the vegetation on the lands, the replenishing of the aquifer, and provide evaporation of the surface water for cloud formation.

Article III History and Definitions

The history of acequia development in New Mexico is rooted in the regions 400 year old Mexican and Spanish eras. Don Juan de Onate established the Acequia de Chamita in August 11, 1598. The Constitution of the United States and the Treaty of Guadalupe Hidalgo, guarantee and "double guarantee" the Historic Rights of the Water the Land, the Acequia and the Parcientes, God given rights.

The treaty did not require the measurement or adjudication of water to Chamita or San Juan Pueblo. We claim a full ditch and any unused water flows back into the Rio Grande.

The Acequia de Chamita provides irrigation water from the Rio Chama for the community of Chamita and the San Juan Pueblo. The point of diversion from the Rio Chama, in the Bartoleme Sanchez Grant, is located approximately 1.5 miles northwest from the junction of U.S. Highway 285 and State Road 74, New Mexico coordinate system, Central Time Zone, X=536,680 and Y=1,850,000. The ditch is approximately 4 miles long and empties into the Rio Grande at a point of the northwest corner of the Historic San Juan-Rio Grande Bridge.

The ditch right-of-way shall be 15 feet to both sides from the center or a total of 30 feet, as per tradition.

Because of the Mexican and Spanish heritage many of the words and phrases still used today in conjunction with acequias are Spanish words. In this article, the most significant of these words are defined along with their English equivalent.

405

1. Acequias(Ditches)

Acequias can best be defined in terms of their physical features, their political status, and their purposes. As physical structures, acequia are described as trenches or ditches excavated on the surface of the earth; in political terms, acequias are associations of water users, their principal function is to allocate and distribute water.

2. Proprietarios o Parcientes (Owners of Irrigated lands)

Parcientes are the owners of the private land served by the acequia. As landowners, they are also the common owners of the acequia and they are its general membership. The acequia can exist only through their participation, and it exists primarily for their benefit.

3. Mayordomo(Steward/Superintendent)

The mayordomo functions as the chief officer of the acequia. He or she, is elected bi-annually by the general membership and works under direction of the comision. The mayordomo is principally in charge of allocating and distributing the water, and also directs all the work that is performed on the ditch and its structures

4. La Comision (the Commission)

The comision is composed of 3 parcientes, elected bi-annually by the general membership. It is customary for the comision to organize itself by selecting one member as chairperson, one as secretary, and one as treasurer. These comisionados(commissioners) function principally as the board of directors for their acequia. Their duties include overseeing the work of the mayordomo, and setting the assessments, which create the revenue for payment for the acequia operations. As is the case of most boards of directors, their principal function is to set policy and oversight

Article IV Los Proprietarios o Parcientes (General Membership)

1. Membership Requirements:

The general members of this acequia, the Acequia de Chamita shall be those propietarios who own land entitled to irrigation water from this acequia.

2. General Duties, powers, and responsibilities of the propietarios are those commonly associated with membership in any political organization that exists for the common good of its members.

3. Special Duties and Responsibilities:

- a. Provide labor-All propietarios must provide labor for cleaning and maintaining their acequia and structures as assigned by the mayordomo.
- b. Elect Comisionados-It is the responsibility and duty of the propietarios general members of the organization to regularly elect the comisionado
- c. Participate at meetings-All propietarios should attend the annual meetings or any other general membership meetings of their acequia. They are to participate in the discussion and elections, and are to serve as comisionados if elected, by their fellow propietarios.

4. Rights and Privilege

All members of the acequia who are in good standing shall enjoy equal and similar privileges, based on individual acre rights. Some of these privileges include, but are not limited to:

- a. The right to water and the services provided by the acequia.
- b. The right to vote on matters that concerns the acequia.
- c. The right to be considered for nomination and election, to the comision.

5. Termination of Membership

Membership in this acequia will terminate automatically when a propietario no longer owns land entitled to irrigation from this acequia.

Article V La Comision (The Commission)

1. Number and Election

406

- La Comision of the acequia must have 3 members. These 3 comisionados are selected in a vote by the propietarios of the acequia at the bi-annual meeting.
2. Eligibility Requirements and Qualifications
In order to hold office, a prospective comisionado must first qualify as a propietario in good standing and must be able to be bonded from Acequia Funds.
 3. Term of Office/Compensation
The comisionados serve a term of two years, elected bi-annually every odd year. As long as they are still propietarios, they may stand again for re-election at succeeding bi-annual meetings. Comisionados are to be reimbursed for their actual expenses while performing acequia duties.
 4. General Duties, Powers and Responsibilities
The general duties, powers and responsibilities are:
 - a. La Comision has general control and supervision over the business affairs of the acequia, and the comision has general power to act for the acequia in any manner not prohibited by law or these bylaws.
 - b. They set the policies regarding fatigue work or tasks of all parties owning water rights in the acequia.
 - c. They have the power to contract on behalf of the acequia, including contracts for obtaining irrigation water, but these water contracts must be ratified by a vote of the majority of the propietarios.
 - d. La Comision makes all necessary assessments to provide funds for payment of the mayordomo's salary and other legitimate expenses related to the proper conduct and maintenance of the acequia as approved by the membership.
 - e. La Comision must provide each parciente with a copy of the by-laws as approved by the Parcientes..
 - f. The comisionados are also the representatives of the acequia in all civil cases for or against the acequia.
 5. Specific Duties, Powers, and Responsibilities
 - a. Provide year-end report-The comisionados are responsible for making a year-end report to the members at the annual meeting. This report should detail previous balance, inflows, outflows, and current balance of the previous year.
 - b. Provide a detailed report on how the acequia functioned during the year.
 - c. Direct the activities of the mayordomo-the comision will oversee the work and performance of the mayordomo.
 - d. Arrange for annual meeting-The comisionados shall provide for an annual meeting.
 6. Removal
Comisionados will be removed from office and their term declared vacant if they neglect or refuse to perform their duties, powers, and responsibilities. In order to remove offending comisionados, a meeting of the general membership must be called. Adequate public notice that a meeting has been called for this purpose must be given (Article VII Section 2). The decision of whether or not to remove a comisionado will be decided by a majority of votes.(Article VII Section 4)
 7. Vacancies
When a comisionado dies or resigns, the remaining comisionados must fill the vacancy by appointing another propietario as interim comisionado until the next election.

Article-VI El Mayordomo (the Steward/Superintendent)

1. Number and How and When Elected

407

The acequia shall have a minimum of one mayordomo, who shall be elected bi annually by the general membership.

2. Eligibility Requirements/Qualifications

The mayordomo must be one of the parcientes, that is, he or she must own land entitled to irrigation water from the acequia he or she serves. Also, the mayordomo must be in good physical and mental health.

3. Term of Office/Compensation

Mayordomos shall assume the duties of their office sometime between the time they are elected and not later than the first Monday of the month following the bi-annual meeting, and shall serve in that capacity until their successor is elected and takes over the duties. The pay of the mayordomo shall be determined by the general membership at the bi-annual meeting. As of the year 2000, the compensation of the mayordomo shall be \$300 per month, number of months set and agreed to by the General Membership at the bi-annual meeting. Payments shall be made as agreed to by Mayordomo and Comisionados.

4. General Duties, Powers, and Responsibilities

The mayordomo shall perform all the duties assigned to him or her by acequia bylaws, and shall perform all the duties assigned to him or her by the comision-ados.

5. Specific Duties, Powers and Responsibilities

a. Acequia Cleaning and Maintenance

The mayordomo will direct the cleaning, maintenance, and construction of the acequia, including the head gates, bridges, and other structures, which are the responsibility of the Acequia.

b. Distribution of water

It is the responsibility of the mayordomo to distribute and allocate the water of the acequia. Amount of acreage with established water rights shall be the determining factor in apportioning the water of the acequia under the direction of the Comision.

c. Regular Reporting to the Comision

The mayordomo will report on all activities and actions he or she has performed as requested by the comisionados.

6. Removal

A mayordomo of this acequia may be removed for any of the following reasons:

- a. Failure or refusal to perform the duties required of him or her.
- b. Failure to conduct himself or herself with propriety and justice.
- c. Accepting bribes in the form of money, property or other favors.
- d. Malfeasance

In order to remove a mayordomo, a meeting of the general membership must be called. Adequate public notice that a meeting has been called for this purpose must be given (See Article VII Section 2). The decision of whether or not to remove a mayordomo will be decided by a majority vote of all members present at the meeting.

7. Vacancies

When a vacancy occurs in the office of the mayordomo, the comision shall have the power to appoint another parciente as mayordomo. This mayordomo shall hold office until his or her successor is elected by the general membership at the next annual meeting and assumes the responsibility of the office.

8. Temporary leave of Absence

Upon declaration of leave by Mayordomo, La Comision shall appoint a Comisionado or a parciente to temporarily replace the mayordomo until his return.